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Security Council

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The Security Council,

Affirming its commitment to the independence and territorial integrity of Zimbabwe,

Reaffirming the statement of its President of 23 June 2008 concerning the situation in Zimbabwe (S/PRST/2008/23),

Reaffirming the 2005 World Summit Outcome Document that acknowledges that peace and security, development and human rights are the pillars of the United Nations system and the foundations for collective security and well being, and recognizing that development, peace and security and human rights are interlinked and mutually reinforcing,

Recalling the African Union resolution on Zimbabwe of 1 July 2008 which expressed its concern with the loss of life and violence in Zimbabwe, the need to prevent a worsening of the situation to avoid the spread of the conflict across the subregion, the need to create an environment conducive for democracy, and which encouraged Zimbabwean leaders to initiate dialogue with a view to promoting peace, stability, democracy and reconciliation,

Recalling the statements of the Southern African Development Community, Pan-African Parliament, and African Union Observer missions to Zimbabwe on 29 June 2008, which found that the elections fell short of accepted African Union standards, did not give rise to free, fair or credible elections, and did not reflect the will of the Zimbabwean people,

Expressing strong concern at the irregularities during the 27 June Presidential election, the violence and intimidation perpetrated in the run up to the election that made impossible the holding of free and fair elections, and the creation of an environment that did not permit international election observers to operate freely before and during the 27 June vote,

Expressing strong concern over the grave humanitarian situation in Zimbabwe which has been exacerbated by the Government of Zimbabwe's misuse of food aid as a political tool and its suspension of humanitarian relief programmes, conducted by international and non-governmental organizations, and that this suspension is

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depriving the Zimbabwean people, in particular vulnerable people, including those displaced by violence and women, children and orphans, of basic humanitarian assistance,

Condemning the violence and loss of life that has caused the displacement of thousands of Zimbabweans, many of whom have been driven to take refuge in neighbouring countries,

Condemning also the arbitrary arrests, restrictions on the right of assembly, seizure of vehicles, threats, intimidation and violence directed against supporters of the opposition political party, as well as the repeated detention of its leaders,

Taking note of the statements and expressions of concern by African regional organizations and current and former Heads of State about the impact of the situation in Zimbabwe on the stability of the wider region, and expressing its grave concern over that impact,

Recognizing that the destabilizing impact of the situation in Zimbabwe on the wider region is reflected in the burden placed on States in the region by the presence of Zimbabwean economic migrants and refugees,

Recalling its resolution 1809 (2008) on Peace and Security in Africa, and reaffirming its support for Southern African Development Community and African Union efforts to resolve the crisis in Zimbabwe in such a way that reflects the will of the Zimbabwean people as expressed in the 29 March elections, and calling on the Government of Zimbabwe to cooperate with these efforts,

Reaffirming its support for the good offices mission of the Secretary-General, led by Assistant Secretary-General Haile Menkerios, and expressing strong support for the continuing efforts of the Secretary-General and his representatives,

Urging all parties to immediately take the necessary steps to prevent and put an end to abuses of human rights and *underlining* that those responsible for such abuses should be held accountable,

Determining that the situation in Zimbabwe poses a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Condemns* the Government of Zimbabwe's campaign of violence against the political opposition and the civilian population, which has resulted in scores of deaths, thousands of injuries, and displacement of thousands of civilians, making it impossible for a free and fair election to occur, and expresses strong concern with the decision of the Government of Zimbabwe to go forward with the 27 June elections;

2. *Demands* that the Government of Zimbabwe:

(a) Immediately cease attacks against and intimidation of opposition members and supporters, including those by non-government agents affiliated with the ZANU-PF party, and in particular end the abuse of human rights, including widespread beatings, torture, killings, sexual violence, and displacement, and release all political prisoners;

(b) Begin without delay a substantive and inclusive political dialogue between the parties with the aim of arriving at a peaceful solution that reflects the will of the Zimbabwean people and respects the results of the 29 March elections;

(c) Accept the good offices offered by the African Union, the Southern African Development Community, and the Secretary-General, giving such representatives full access to the country, security, and all requested authority over negotiation processes;

(d) Cooperate fully with investigations of the political violence experienced by the country between March and June 2008 and hold accountable those who have carried out abuses of human rights;

(e) End immediately all restrictions on international humanitarian assistance and support international aid organizations' access to all parts of the country for distribution of food, medical assistance, and other humanitarian aid;

3. *Requests* the Secretary-General to appoint as soon as possible an individual of international standing and expertise to serve as his Special Representative on the situation in Zimbabwe who would:

(a) Support the negotiation process between the political parties in Zimbabwe;

(b) Report to the Council on the political, humanitarian, human rights and security situation in Zimbabwe;

4. *Decides* that all Member States shall take the necessary measures to prevent the direct or indirect supply, sale or transfer to Zimbabwe, through their territories or by their nationals, or using their flag vessels or aircraft, and whether or not originating in their territories, of arms or related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned;

5. *Decides also* that all Member States shall also take the necessary measures to prevent any provision to Zimbabwe by their nationals or from their territories of technical assistance or training, financial assistance, investment, brokering or other services, and the transfer of financial resources or services, related to the supply, sale, transfer, manufacture or use of the items specified in paragraph 4 above;

6. *Decides further* that the measures imposed by paragraphs 4 and 5 above shall not apply to:

(a) Supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training; and

(b) Supplies of protective clothing, including flak jackets and military helmets, for the personal use of United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel;

7. *Decides* that all States shall take the following measures with respect to individuals and entities designated in the Annex to this resolution or designated by the Committee established pursuant to paragraph 10 below ("the Committee") as having engaged in or provided support for actions or policies to subvert democratic processes or institutions in Zimbabwe since May 2005, including having ordered,

planned, or participated in acts of politically motivated violence, or as providing support to individuals or entities designated pursuant to this paragraph:

(a) Prevent the entry into or transit through their territories of these individuals, provided that nothing in this paragraph shall obligate a State to refuse entry into or require departure from its territory of its own nationals;

(b) Freeze without delay all funds, other financial assets and economic resources that are in their territories on the date of adoption of this resolution or at any time thereafter, that are owned or controlled, directly or indirectly, by these individuals or entities, or by individuals or entities acting on their behalf or at their direction, and ensure that no funds, other financial assets or economic resources are made available by their nationals or by any persons within their territories to or for the benefit of such individuals or entities;

8. *Decides* that the measures imposed by paragraph 7 (a) above do not apply where the Committee determines on a case-by-case basis that such travel is justified on the ground of humanitarian need, including religious obligation, or where the Committee concludes that an exemption would otherwise further the objectives of this resolution;

9. *Decides* that the measures imposed by paragraph 7 (b) of this resolution do not apply to funds, other financial assets or economic resources that have been determined by relevant States:

(a) To be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant States to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets or economic resources and in the absence of a negative decision by the Committee within three working days of such notification;

(b) To be necessary for extraordinary expenses, provided that such determination has been notified by the relevant States to the Committee and has been approved by the Committee; or

(c) To be the subject of a judicial, administrative or arbitral lien or judgement, in which case the funds, or other financial assets and economic resources may be used to satisfy that lien or judgement provided that the lien or judgement was entered prior to the date of the present resolution, is not for the benefit of a person or entity designated by the Committee pursuant to paragraph 7 above, and has been notified by the relevant States to the Committee;

10. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks:

(a) To seek from all States, in particular those in the region, information regarding the actions taken by them to implement effectively the measures referred to in paragraphs 4, 5 and 7 of this resolution and whatever further information it may consider useful in this regard;

(b) To examine and take appropriate action on information regarding alleged violations of measures imposed by paragraphs 4, 5 and 7 of this resolution;

(c) To designate individuals and entities subject to the measures imposed by paragraph 7 of this resolution;

(d) To consider and decide upon requests for exemptions set out in paragraphs 8 and 9 of this resolution;

(e) To establish guidelines as may be necessary to facilitate the implementation of the measures imposed by this resolution;

(f) To report at least every 90 days to the Security Council on its work and on the implementation of this resolution, with its observations and recommendations, in particular on ways to strengthen the effectiveness of the measures imposed in this resolution;

(g) To assess reports from the Panel of Experts established pursuant to paragraph 11 below, and from Member States on specific steps they are taking to implement the measures imposed by paragraphs 4, 5 and 7 above;

(h) To encourage a dialogue between the Committee and interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures;

11. *Requests* the Secretary-General to establish, within 30 days of the adoption of this resolution, in consultation with the Committee, for a period of twelve months a Panel of Experts comprised of four members with the range of expertise necessary to fulfil the Panel's mandate described in this paragraph, to operate under the direction of the Committee to undertake the following tasks:

(a) To assist the Committee in monitoring implementation of the measures in paragraphs 4, 5 and 7 of this resolution, and to make recommendations to the Committee on actions the Council may want to consider; and

(b) To provide a midterm briefing on its work to the Committee, and an interim report no later than 90 days after adoption of this resolution, and a final report no later than 30 days prior to the termination of its mandate to the Council through the Committee with its finding and recommendations;

12. *Expresses* its readiness to review the measures imposed in paragraphs 4, 5, and 7 of this resolution in 12 months following the date of adoption of this resolution or sooner if before such time an inclusive political settlement is agreed, which respects the will of the Zimbabwean people and the results of the 29 March 2008 elections;

13. *Requests* the Secretary-General to submit a report to the Council regarding the situation in Zimbabwe, whether the Government of Zimbabwe has complied with the demands in paragraph 2 above, and what additional measures may contribute to improving the security, humanitarian, and human rights situation in Zimbabwe;

14. *Decides* that all States shall report to the Committee established by the Council within 90 days of the adoption of this resolution on the steps they have taken with a view to implementing effectively the measures imposed in paragraphs 4, 5 and 7 above;

15. *Decides* to remain seized of the matter.

Annex

1. Mugabe, Robert
(Member/Head of Government responsible for activities that seriously undermine democracy, repress human rights and disrespect the rule of law)

2. Chiwenga, Constantine
(Member of security forces who directed repressive State policy and has committed human rights abuses)

3. Mnangagwa, Emmerson
(Member of Government responsible for activities that seriously undermine democracy, repress human rights and disrespect the rule of law)

4. Gono, Gideon
(Reserve Bank Governor who is responsible for funding repressive State policies)

5. Chihuri, Augustine
(Member of security forces who bears wide responsibility for serious violations of the freedom of peaceful assembly)

6. Chinamasa, Patrick
(Member of Government responsible for activities that seriously undermine democracy, repress human rights and disrespect the rule of law)

7. Shiri, Perence
(Member of security forces complicit in forming or directing oppressive State policy)

8. Parirenyatwa, David
(Member of Government responsible for activities that seriously undermine democracy, repress human rights and disrespect the rule of law)

9. Mutasa, Didymus
(Member of Government responsible for activities that seriously undermine democracy, repress human rights and disrespect the rule of law)

10. Charamba, George
(Member of Government complicit in forming or directing oppressive State policy)

11. Zimondi, Paradzi
(Member of security forces complicit in forming oppressive State policy)

12. Bonyongwe, Happyton
(Member of security forces complicit in forming or directing oppressive State policy)

13. Sekeremayi, Sydney Tigere
(Member of Government complicit in forming or directing oppressive State policy)

14. Made, Joseph Mtakwese
(Member of Government complicit in forming or directing oppressive State policy)